

CHAPTER NO. 104

HOUSE BILL NO. 3217

By Representative Walker

Substituted for: Senate Bill No. 3176

By Senator Elsea

AN ACT to repeal Chapters 167 and 581 of the Private Acts of 1953, Chapter 227 of the Private Acts of 1961, and all other acts amendatory thereto, relative to the Board of Education of Rhea County and to provide for new districts, election, and powers of the board.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapters 167 and 581 of the Private Acts of 1953, Chapter 227 of the Private Acts of 1961, and all other acts amendatory thereto, are hereby repealed.

SECTION 2. Rhea County shall be divided into nine (9) school districts of substantially equal population, which shall be coextensive with the county legislative body districts as established by resolution of the county legislative body from time to time.

SECTION 3. The Rhea County Board of Education (the "board") shall consist of nine (9) members, with one (1) member of the board being elected by the qualified voters in each school district, on a non-partisan basis. Board members shall be elected to staggered four (4) year terms so that every two (2) years the terms of approximately one-half ($\frac{1}{2}$) of the members of the board shall expire, with the odd-numbered districts expiring at the same time and the even-numbered districts expiring at the same time. Persons elected in the regular August general elections shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified.

SECTION 4. During the transition from seven (7) members to the nine (9) members provided for in this act, all incumbent board members shall remain on the board until the expiration of their current terms, and the number of board members may temporarily exceed the number of members authorized in this act. To establish staggered four (4) year terms, beginning with the August 2004 election, the board shall be elected as follows: At the August 2004 general election, one (1) member shall be elected from each of the even-numbered districts for a term of two (2) years and one (1) member shall be elected from each of the odd-numbered districts for a term of four (4) years. At the August 2006 general election and thereafter, board members shall be elected to four (4) year terms as the term of each respective board member expires.

SECTION 5. The Rhea County Board of Education shall have the same powers, duties, privileges, and qualifications as a board of education established pursuant to Tennessee Code Annotated, Title 49.

SECTION 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 7. This act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the county legislative body of Rhea County. Its approval or non-approval

shall be proclaimed by the presiding officer of the county legislative body of Rhea County and certified to the Secretary of State.


SECTION 8. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 7.

PASSED: March 27, 2002


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 3rd day of April 2002


DON SUNDQUIST, GOVERNOR